

* * * a most effective intestinal antiseptic. Especially good for acute gastritis, cramps and as a stomach cleanser;" (large-sized bottle) "For Gums, Mouth, Nose, Throat * * * Fresh Wounds, Old Sores * * * For Many Infections and Inflammations of the Mouth and Gums hold Pyro-Sana undiluted, in the mouth over affected area, * * * Throat and Tonsils * * * gargle until relieved * * * Fresh Wounds."

On February 25, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17969. Adulteration and misbranding of syrup of tar with extract of cod livers and menthol. U. S. v. 35 Bottles, et al., of Syrup of Tar with Extract of Cod Livers and Menthol. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 25438, 25439. I. S. Nos. 9622, 15632. S. Nos. 3680, 3681.)

Examination of a sample of a drug product, known as syrup of tar with extracts of cod livers and menthol, from one of the herein-described shipments having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, and that it did not contain the characteristic cod-liver vitamins, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Jersey.

On December 4, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 90 bottles of the said syrup of tar with extract of cod livers and menthol, remaining in the original unbroken packages in part at Wildwood, N. J., and in part at Orange, N. J., alleging that the article had been shipped by Shoemaker & Busch (Inc.), from Philadelphia, Pa., on or about October 28, 1930, and transported from the State of Pennsylvania into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of tar, menthol, chloroform, sugar, and water. Biological examination showed that the article was worthless as a source of the vitamins of cod livers.

It was alleged in the libels that the article was adulterated in that it was sold under the following standard of strength and quality, "Extract of Cod Livers," whereas the strength and quality of the article fell below such professed standard, in that it contained no extract of cod livers.

Misbranding was alleged for the reason that the design of a cod fish and the statement "Extract of Cod Livers," appearing on the label, were false and misleading. Misbranding was alleged for the further reason that the following statements appearing on the label of the bottle, "Catarrh, Coughs * * * Bronchitis and certain conditions of Asthma, Croup and Whooping Cough. * * * For Coughs, Bronchitis and all Throat Irritations, use this mixture as a gargle * * * Weak children subject to cough should take a dose every night during cold and raw weather. This Syrup Is Suggested for the Relief of Various Throat Troubles. Croups, Diphtheria and Scarlet Fever usually being with sore Throat. In such cases this syrup may be of benefit to the symptom," and the following statements appearing on the wrappers enclosing a portion of the said article: "Catarrh, Coughs, * * * Bronchitis, Whooping Cough * * * Bronchitis and Coughs of all kinds. It is also useful in certain conditions of Croup, Asthma and Whooping Cough. * * * useful in the relief of certain pulmonary diseases," regarding the curative or therapeutic effects, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 27, 1931, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17970. Misbranding of Pneumatica and Pneumatica Extra Strong. U. S. v. 70 Boxes of Pneumatica, et al. Default decrees of condemnation and destruction. (F. & D. Nos. 25546, 25547. I. S. Nos. 8873, 8874, 8875, 8878. S. Nos. 3735, 3742.)

Examination of the herein-described articles showed that they were drug products known as Pneumatica, a portion contained in boxes and a portion contained in tubes, and Pneumatica Extra Strong, contained in tubes; that the cartons containing the boxes of Pneumatica, the cartons containing the tubes